

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

April 22, 2021

1:25 p.m.

MEMBERS PRESENT

Representative Chris Tuck, Chair
Representative Andi Story
Representative Geran Tarr
Representative Matt Claman
Representative George Rauscher
Representative Laddie Shaw
Representative David Nelson

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 40

"An Act relating to veterans' benefits services and veterans' benefits appeal services."

- HEARD & HELD

HOUSE JOINT RESOLUTION NO. 16

Encouraging the United States Congress to pass legislation granting the Hmong veterans of the Vietnam War access to the same veteran benefits received by United States veterans.

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 40

SHORT TITLE: VETERANS' BENEFITS SERVICES; DISCLOSURE

SPONSOR(s): SENATOR(s) REVAK

01/25/21	(S)	PREFILE RELEASED 1/15/21
01/25/21	(S)	READ THE FIRST TIME - REFERRALS
01/25/21	(S)	STA, L&C
03/04/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/04/21	(S)	Heard & Held
03/04/21	(S)	MINUTE(STA)
03/11/21	(S)	STA AT 3:30 PM BUTROVICH 205

03/11/21	(S)	Heard & Held
03/11/21	(S)	MINUTE(STA)
03/18/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/18/21	(S)	Moved SB 40 Out of Committee
03/18/21	(S)	MINUTE(STA)
03/19/21	(S)	STA RPT 4DP
03/19/21	(S)	DP: SHOWER, HOLLAND, COSTELLO, REINBOLD
03/19/21	(S)	OBJECTION (REGARDING REPORTING OUT OF COMMITTEE PROCESS)
03/19/21	(S)	POSTPONE QUESTION TO MARCH 24 Y14 N2 E3 A1
03/22/21	(S)	OBJECTION WITHDRAWN (REGARDING REPORTING OUT OF COMMITTEE PROCESS)
03/29/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/29/21	(S)	Moved SB 40 Out of Committee
03/29/21	(S)	MINUTE(L&C)
03/31/21	(S)	L&C RPT 5DP
03/31/21	(S)	DP: COSTELLO, REVAK, GRAY-JACKSON, HOLLAND, STEVENS
04/09/21	(S)	TRANSMITTED TO (H)
04/09/21	(S)	VERSION: SB 40
04/12/21	(H)	READ THE FIRST TIME - REFERRALS
04/12/21	(H)	MLV, L&C
04/22/21	(H)	MLV AT 1:00 PM GRUENBERG 120

BILL: HJR 16

SHORT TITLE: HMONG VETERANS MILITARY RIGHTS

SPONSOR(s): REPRESENTATIVE(s) NELSON

04/09/21	(H)	READ THE FIRST TIME - REFERRALS
04/09/21	(H)	MLV
04/22/21	(H)	MLV AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

SETH DUGGAN, Staff
 Senator Josh Revak
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Introduced SB 40 on behalf of Senator Josh Revak, prime sponsor.

SENATOR JOSH REVAK
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented SB 40.

VERDIE BOWEN, Director of Veterans Affairs
Office of Veterans Affairs
Department of Military and Veterans Affairs
Anchorage, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearings on SB 40 and HJR 16.

ACTION NARRATIVE

[1:25:40 PM](#)

CHAIR CHRIS TUCK called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:25 p.m. Representatives Story, Rauscher, Tarr, Claman, and Tuck were present at the call to order. Representatives Shaw and Nelson arrived as the meeting was in progress.

SB 40-VETERANS' BENEFITS SERVICES; DISCLOSURE

[1:26:44 PM](#)

CHAIR TUCK announced that the first order of business would be SENATE BILL NO. 40, "An Act relating to veterans' benefits services and veterans' benefits appeal services."

[1:27:30 PM](#)

SETH DUGGAN, Staff, Senator Josh Revak, Alaska State Legislature, on behalf of prime sponsor Senator Josh Revak, introduced SB 40. He said that SB 40 would require those who provide veteran benefit services or benefit appeal services, for compensation, to notify veterans before taking them on as a client that those services are provided for free through a veteran service organization. He said that the veteran must sign and date a disclosure affirming that he/she knows free services are available, with a civil penalty of \$1,000 per instance levied against providers who don't provide the information. He described SB 40 as aiming to increase awareness of available services for veterans, dependents, and survivors.

[1:29:03 PM](#)

SENATOR JOSH REVAK, Alaska State Legislature, as prime sponsor, explained that when servicemembers return to civilian life, the military must aid in areas such as legal representation or medical supplies. Veteran service organizations (VSOs) such as the Veterans of Foreign Wars (VFW) and American Legion have

officers trained to provide services which veterans may access for free instead of paying fees to other providers.

1:30:09 PM

REPRESENTATIVE STORY said that she appreciates that SB 40 would make it clear that the services are available instead of having the information in the fine print. She noted the absence of commissioned officers corps such as the National Oceanic and Atmospheric Administration (NOAA) and the Commissioned Corps of the U.S. Public Health Service in the text of SB 40 and asked whether those officers could be listed.

SENATOR REVAK answered that it would be appropriate to list anyone eligible for free VSO services.

1:31:30 PM

REPRESENTATIVE NELSON asked about outreach to veterans.

SENATOR REVAK answered that the veteran would be notified of the available free services by the person or organization they approached for assistance.

REPRESENTATIVE NELSON asked what the process for reporting would be, should the veteran not be notified of the free services available.

SENATOR REVAK replied that the Director of Veterans Affairs is available for questions.

1:32:47 PM

VERDIE BOWEN, Director of Veterans Affairs, Office of Veterans Affairs, Department of Military and Veterans Affairs, explained that there would be a media campaign and notifications to the VSOs. He also noted a database of 36,000 veterans who would be contacted directly with information.

REPRESENTATIVE NELSON expressed support for SB 40.

1:33:44 PM

REPRESENTATIVE STORY asked whether regular outreach to veterans could be made policy at the VSOs.

SENATOR REVAK noted that VSOs have strong outreach efforts and deferred to Mr. Bowen for more information.

MR. BOWEN explained that the Office of Veterans Affairs has a monthly meeting with the VSOs and would ensure that the message is repeated often.

[1:35:35 PM](#)

CHAIR TUCK announced that SB 40 was held over.

HJR 16-HMONG VETERANS MILITARY RIGHTS

[1:36:20 PM](#)

CHAIR TUCK announced that the final order of business would be HOUSE JOINT RESOLUTION NO. 16, "Encouraging the United States Congress to pass legislation granting the Hmong veterans of the Vietnam War access to the same veteran benefits received by United States veterans."

[1:36:38 PM](#)

REPRESENTATIVE NELSON, as prime sponsor, presented HJR 16 and read a sponsor statement, which read as follows [original punctuation provided]:

HJR 16 encourages the United States Congress to fulfill the promises made to the Hmong soldiers during the Vietnam War and grant them access to the same veterans' benefits received by the United States veterans.

In the 1960's over 100,000 Hmong soldiers were recruited by the United States Central Intelligence Agency to help the United States soldiers in the fight against communism. The Hmong warriors fought to intercept and prevent the flow of troops and supplies along the Ho Chi Minh Trail, and approximately 40,000 were killed as they supported and protected United States Armed Forces during combat missions.

The Hmong warriors were heavily outnumbered, however continued to fight, gather critical intelligence about enemy operations, and continued to undertake rescue missions to save the lives of downed United States pilots.

The Hmong soldiers suffered acts of retribution and atrocities at the hand of the Pathet Lao and North Vietnamese causing many to flee to Thailand. These soldiers became refugees because the United States government encouraged them to fight on behalf of the United States.

The Hmong people fought bravely in what was called the "Secret War", and for their loyalty were promised access to the same veterans benefits as those received by the United States veterans. The Hmong people have put their faith and trust in the United States government, and we are requesting that the promises made to those who risked everything for our country be honored. We must recognize how much the Hmong veterans gave and lost for our country and support HJR 16.

REPRESENTATIVE NELSON noted Representative Tarr's assistance in crafting HJR 16.

[1:39:21 PM](#)

REPRESENTATIVE STORY asked why the U.S. Congress has been historically resistant to honoring the promise to extend benefits to Hmong soldiers.

REPRESENTATIVE NELSON noted the H.R. 371 (P.L. 106-207), the Hmong Veterans' Naturalization Act of 2000, and deferred to Mr. Bowen for further elaboration.

[1:40:11 PM](#)

VERDIE BOWEN, Director of Veterans Affairs, Office of Veterans Affairs, Department of Military and Veterans Affairs, said that the only benefit for Hmong soldiers extended thus far is burial rights.

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REPRESENTATIVE SHAW described the Alaska Territorial Guard, recruited in the 1940s but only granted veterans' benefits in 2003. He said the Hmong community was his "lifeline" as a Navy SEAL doing tactical guerilla warfare. He said while the Hmong community lost approximately 40,000 soldiers in the Vietnam War, nearly 100,000 additional Hmong suffered afterward at the hands of the government. He said that Hmong veterans should be

honored with veterans' benefits and he would appreciate support for HJR 16.

[1:42:53 PM](#)

REPRESENTATIVE STORY asked whether the resistance is due to funding.

REPRESENTATIVE NELSON said that he would not assign motives to members of the federal delegation or the U.S. Congress and deferred to Mr. Bowen.

MR. BOWEN explained that the funds would not be significant due to the low number of Hmong veterans remaining in the United States. He said that there are approximately 60 living in Alaska and stated his belief that there are fewer than 500 Hmong veterans remaining.

[1:44:25 PM](#)

CHAIR TUCK asked what the biggest hindrance in recognizing Hmong veterans is.

MR. BOWEN replied, "I honestly don't know. It took us three tries to get the burials completed, and [U.S.] Senator [Lisa] Murkowski and [U.S.] Senator [Dan] Sullivan worked pretty hard to push those through. I don't know what would stop them from doing fulfillment of the complete honor that is due them."

[1:45:18 PM](#)

REPRESENTATIVE SHAW noted that attempts to pass benefits for the Alaska Territorial Guard, as U.S. citizens, took two years. He explained that the cost was minimal due to the low number of veterans applying for benefits, as well as their advanced age. He said that due to the low number of Hmong in Alaska, the costs of their veterans' benefits would be similarly low.

[1:46:41 PM](#)

REPRESENTATIVE RAUSCHER asked whether there exists any documentation regarding the promise to the Hmong soldiers.

MR. BOWEN explained that use of the Hmong soldiers was a CIA operation and said, "In the black world, if it's not written, it's not said." He noted testimony from the 1970s in which a

CIA operative said that benefits were promised, but said that most of the witnesses have since died.

1:48:24 PM

REPRESENTATIVE SHAW said that the nature of covert operations and guerilla warfare along the Cambodian-Laos border necessitated the destruction of operational orders. He added, "With the Hmong community, I can tell you for a fact, you will find very little written history relative to what they were involved with, and what they did, relative to the CIA operations being as covert as they were."

REPRESENTATIVE NELSON noted that he had learned, through his own research and discussions with the remaining Hmong veterans, that there is no written documentation.

1:50:00 PM

CHAIR TUCK commented that even if there wasn't documentation, the agreement should be honored. He then announced that HJR 16 would be held over.

1:51:03 PM

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 1:51 p.m.